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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

GORVIS, LLC, a California Limited Liability
Company,

THE STACY L. KOFF INVESTMENT TRUST, a
member of Gorvis, LLC,

THE DAVID I. KOFF INVESTMENT TRUST, a
member of GORVIS, LLC,

Adv. Pro. No. 10-04544 (SMB)

ALAN S. GORDON, in his capacities as trustee of the Stacy L. Koff Investment Trust and trustee of the David I. Koff Investment Trust,

C. RAY JOHNSON, in his capacities as trustee of the Stacy L. Koff Investment Trust and trustee of the David I. Koff Investment Trust,

STACY L. KOFF, individually as settlor and beneficiary of the Stacy L. Koff Investment Trust,

and

DAVID I. KOFF, individually as settlor and beneficiary of the David I. Koff Investment Trust,

Defendants.

**STIPULATION AND ORDER FOR
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and defendants Gorvis, LLC, The Stacy L. Koff Investment Trust, The David I. Koff Investment Trust, Alan S. Gordon, in his capacities as trustee of The Stacy L. Koff Investment Trust and trustee of The David I. Koff Investment Trust, C. Ray Johnson, in his capacities as trustee of The Stacy L. Koff Investment Trust and trustee of The David I. Koff Investment Trust, Stacy L. Koff, individually and as settlor and beneficiary of The Stacy L. Koff Investment Trust, and David I. Koff, individually and as settlor and beneficiary of The David I. Koff Investment Trust (“Defendants”), by and through their counsel, Loeb & Loeb LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against Defendants.

2. On January 17, 2014, Defendants served an answer on the Trustee.

3. On December 23, 2014, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of (i) the Trustee's claims against Defendants in the above-captioned adversary proceeding and (ii) the adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: January 23, 2015
New York, New York

Of Counsel:

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L. Koff Investment Trust, The David I. Koff
Investment Trust, Alan S. Gordon, C. Ray Johnson,
Stacy L. Koff, and David I. Koff

SO ORDERED

Dated: January 26th, 2015
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE